

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
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In re:

Yosef Redlich,

Debtor.
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Hearing Date: April 1, 2025
Hearing Time: 10:30 a.m.

Chapter 7

Case No. 24-44820 (ESS)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed motion, William K. Harrington, the United States Trustee for Region 2, will move before the Honorable Elizabeth S. Stong, United States Bankruptcy Judge, in the United States Bankruptcy Court, 271-C Cadman Plaza East, Courtroom 3585, Brooklyn, New York, 11201, **on April 1, 2025 at 10:30 a.m.**, or as soon thereafter as counsel can be heard, for an order, substantially in the form annexed hereto as Exhibit A, pursuant to Bankruptcy Rule 4004, extending the time for the United States Trustee to file a complaint under 11 U.S.C. § 727, objecting to the discharge of Yosef Redlich (the “Debtor”) through and including May 16, 2025.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion must be in writing and filed with the Bankruptcy Court by March 25, 2025 (the “Objection Deadline”) through the Court’s electronic filing system. Instructions for electronically filing an objection can be found at www.nyeb.uscourts.gov. A copy of the objection must also be mailed, so as to be received by the Objection Deadline, to the United States Trustee, at the Alexander Hamilton Custom House, One Bowling Green, Suite 510, New York, New York 10004, to the attention of Nazar Khodorovsky, Esq., Trial Attorney.

PLEASE TAKE FURTHER NOTICE that the hearing shall be held by

video or in person, as the Court deems appropriate. Those intending to appear at the hearing must register with eCourt Appearances no later than two days prior to the hearing. The phone number or video link for the hearing will be emailed to those that register with eCourt Appearances in advance of the hearing. Instructions for registering with eCourt Appearances can be found at <https://www.nyeb.uscourts.gov/registering-remote-hearing-appearance-using-ecourt-appearances>. If you do not have internet access or are otherwise unable to register with eCourt Appearances, you may call or email Judge Stong's courtroom deputy for instructions at (347) 394-1864, ESS_Hearings@nyeb.uscourts.gov

PLEASE TAKE FURTHER NOTICE that the hearing on the Motion may be adjourned without notice other than an announcement in open Court.

Dated: New York, New York
February 18, 2025

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE, REGION 2

By: /s/ Nazar Khodorovsky
Nazar Khodorovsky
Trial Attorney
One Bowling Green, Suite 510
New York, New York 10004
Tel. No. (212) 206-2580
Fax No. (212) 668-2361

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In Re:

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Debtor.

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**MOTION OF THE UNITED STATES TRUSTEE TO EXTEND THE
DEADLINE TO FILE A COMPLAINT OBJECTING TO THE DEBTOR'S
DISCHARGE UNDER 11 U.S.C. § 727 AND
BANKRUPTCY RULE 4004(b)**

TO: THE HONORABLE ELIZABETH S. STONG,
UNITED STATES BANKRUPTCY JUDGE:

The United States Trustee for Region 2 (the “United States Trustee”) hereby moves this Court for an order, substantially in the form annexed hereto as Exhibit A, pursuant to 11 U.S.C. § 727 and Rule 4004(b) of the Federal Rules of Bankruptcy Procedure, extending the deadline for filing objections to the Debtor’s discharge.

In support of this motion, the United States Trustee represents and alleges as follows:

1. Yosef Redlich (the “Debtor”) commenced this case by filing a voluntary petition under chapter 7 of the Bankruptcy Code on November 18, 2024.
2. Lori Lapin Jones, Esq. was appointed chapter 7 trustee (the “Trustee”) in this case and has qualified and is acting in that capacity.
3. The meeting of creditors in this case pursuant to 11 U.S.C. § 341(a) was first scheduled for December 20, 2024 (the “First Meeting”).
4. On December 13, 2024, the United States Trustee filed a statement with the Court indicating that this case had been selected for audit, pursuant to 28 U.S.C. § 586(f)(1). *See*

Declaration of Nazar Khodorovsky in Support of the Motion (the “Khodorovsky Declaration”), ¶

5. That statutory section provides as follows:

(1) The United States trustee for each district is authorized to contract with auditors to perform audits in cases designated by the United States trustee, in accordance with the procedures required under section 603(a) of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (“BAPCPA”).

(2)(A) the report of each audit . . . shall be filed with the court and transmitted to the United States trustee. Each report shall clearly and conspicuously specify any material misstatement of income or expenditures or of assets identified by the person performing the audit. In any case in which a material misstatement of income or expenditures or of assets has been reported, the clerk of the district court . . . shall give notice of the misstatement to the creditors in the case.

(B) If a material misstatement of income or expenditures or of assets is reported, the United States trustee shall –

(i) report the material misstatement, if appropriate, to the United States Attorney pursuant to section 3057 of title 18; and

(ii) if advisable, take appropriate action, including but not limited to commencing an adversary proceeding to revoke the debtor’s discharge pursuant to section 727(d) of title 11.

28 U.S.C. § 586(f) (parentheticals added).

5. The auditors contracted by the United States Trustee (the “Auditors”) filed a report of audit with a material misstatement identified (the “Report”) on February 13, 2025. *See* ECF Doc. No. 11. According to the Report, the Debtor failed to disclose sales of securities, aggregating over \$92,750, on his Statement of Financial Affairs (the “SOFA”). *Id.*

6. 28 U.S.C. § 586 provides that the United States Trustee shall take appropriate action, if advisable, based on the information reported by the Auditors. 28 U.S.C. § 586(f)(2)(B)(ii).

7. The time to file a complaint to object to the Debtor’s discharge, pursuant to 11 U.S.C. § 727 and Rule 4004 of the Federal Rules of Bankruptcy Procedure, expires on February 18, 2025 (the “Deadline”). *See* ECF Doc. No. 5.

8. Rule 4004(b) of the Federal Rules of Bankruptcy Procedure provides that the Court may, for cause, extend the time to file a complaint objecting to discharge under 11 U.S.C. § 727. *See* Fed. R. Bankr. P. 4004(b)(1). The Auditors filed the Report only very recently, on February 13, 2025. The United States Trustee needs additional time to follow up on the results of the Report and to consider whether any additional relief may need to be sought against the Debtor. The United States Trustee is in the process of investigating the concerns outlined in the Report and will be promptly requesting documents from the Debtor as part of his investigation. For these reasons, the United States Trustee respectfully asks the Court to extend the Deadline through and including May 16, 2025.

9. Accordingly, so as to allow the United States Trustee to complete his investigation and evaluation of the Debtor’s case, the United States Trustee needs

additional time to determine whether further action is warranted or advisable as required by 28 U.S.C. § 586(f)(2)(B)(ii), and, therefore, the United States Trustee respectfully asks that the deadline for filing a complaint against the Debtor, pursuant to 11 U.S.C. § 727, be extended through and including May 16, 2025.

WHEREFORE, the United States Trustee requests entry of an order substantially in the form annexed hereto as Exhibit A pursuant to Bankruptcy Rule 4004, extending the time for the United States Trustee to file a complaint under 11 U.S.C. § 727, objecting to the Debtor's discharge, through and including May 16, 2025 and granting such other and further relief as the Court may deem just and proper.

Dated: New York, New York
February 18, 2025

Respectfully submitted,

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE, REGION 2

By: /s/ Nazar Khodorovsky
Nazar Khodorovsky
Trial Attorney
One Bowling Green, Suite 510
New York, New York 10004
Tel. No. (212) 206-2580

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re: : Chapter 7
: :
Yosef Redlich, : :
: : Case No. 24-44820 (ESS)
: :
Debtor. :
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**DECLARATION OF NAZAR KHODOROVSKY IN SUPPORT OF MOTION OF
THE UNITED STATES TRUSTEE FOR AN ORDER EXTENDING THE DEADLINE
TO FILE AN OBJECTION TO DISCHARGE UNDER 11 U.S.C. § 727**

Pursuant to 28 U.S.C. § 1746, Nazar Khodorovsky, declares as follows:

1) I am a Trial Attorney with the Office of the United States Trustee for Region 2. I am assigned to oversee this matter, and I have knowledge and information about this bankruptcy case. I submit this Declaration in support of the United States Trustee’s motion for an order extending the deadline to file an objection to discharge under 11 U.S.C. § 727.

2) On November 18, 2024 (the “Petition Date”), Yosef Redlich (the “Debtor”), represented by attorney Gregory M. Messer, Esq. (“Counsel”), filed a voluntary petition for relief under chapter 7 of the Bankruptcy Code.

3) Lori Lapin Jones, Esq. was appointed chapter 7 trustee (the “Trustee”) in this case and has qualified and is acting in that capacity.

4) The meeting of creditors in this case pursuant to 11 U.S.C. § 341(a) was first scheduled for December 20, 2024 (the “First Meeting”).

5) On December 13, 2024, the United States Trustee selected the Debtor’s case for an audit pursuant to 28 U.S.C. § 586(f)(1).

6) The auditors contracted by the United States Trustee filed a report of audit with a material misstatement identified on February 13, 2025.

I declare under the penalty of perjury that the information contained in this
Declaration is true and correct.

Dated: New York, New York
February 18, 2025

/s/ Nazar Khodorovsky
Nazar Khodorovsky

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:	:	Chapter 7
	:	
Yosef Redlich,	:	
	:	Case No. 24-44820 (ESS)
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	:	
Debtor.	:	
-----X		

**ORDER EXTENDING THE DEADLINE TO FILE AN OBJECTION TO
DISCHARGE UNDER 11 U.S.C. § 727**

Upon the hearing held before this Court and the Motion (the “Motion”) of the United States Trustee, for an order pursuant to Bankruptcy Rule 4004, extending the time for the United States Trustee to file a complaint under 11 U.S.C. § 727 objecting to the Debtor’s discharge; and good and sufficient service of the Motion having been given; and after due deliberation and sufficient cause appearing therefore, it is

ORDERED, that the Motion is granted; and it is further

ORDERED, that the time for the United States Trustee to object to the Debtor’s discharge pursuant to 11 U.S.C. § 727(c) and as regulated by Fed. R. Bankr. P. 4004(b) is hereby extended through and including May 16, 2025; and it is further

ORDERED, that the United States Trustee may seek extension of this date upon a further showing of cause.